TL771

INDONESIA

ISSUE

Human rights situation in Indonesia.

BACKGROUND

Indonesia has a poor international image on the human rights front. Most difficulties in the human rights field arise from an excessive government concern for security, a tendency to over-regulate most aspects of life and a cultural preference for putting community interests above individual rights.

There are several signs of increasing pragmatism on the part of the government, motivated in part by the government's deep dislike of social tensions and by expressions of concern by foreign countries. Legal aid services are increasingly available and utilized. In particular, the Legal Aid Foundation and other NGO's are making people more aware of their rights and in assisting them in the protection of their rights. There is a growing tolerance to criticism of various aspects of Indonesian society and regulations, particularly when expressed by academics, sociologists and economists. Most of the alleged communist sympathizers who were disenfranchised 20 years ago have had their civil rights restored.

Notwithstanding these indications of an improving human rights situation in Indonesia, the progress of liberalization for the most part remains slow and the political process remains tightly controlled. Legal and human rights continue to be abrogated by central and local authorities. There remain three particular areas of human rights concern to Canada. These are:

DETENTIONS AND EXECUTIONS

There continues to be periodic arrests of alleged subversives and communists who are often held without trial. The judicial process in Indonesia is not independent of government and can be directed to suit particular situations. Furthermore, there are instances in which defending lawyers are criticized by the judiciary, making it difficult for them to retain clientele and remain in practice.

The government continues to hold a number of political prisoners. Particularly disturbing was the execution earlier this year of a number of alleged communists who had been held in detention since the aborted coup attempt of 1965.

EAST TIMOR

The human rights situation in East Timor continues to show improvement, due in part to international representations and to a recognition by Indonesian authorities that it must

make the province more accessible if it is to convince observers that the situation has improved. Portugal and Indonesia have resumed discussions on East Timor and it appears both countries are close to an agreement that would recognize some of Portugal's concerns, such as freedom of religion and patriation of those who would like to return to Portugal, and would recognize also Indonesia's sovereignty over East Timor. The number of political detainees have decreased considerably. The International Committee of the Red Cross visits prisoners regularly and, in cooperation with the government, arranges for family reunification. The ICRC has recently closed the temporary Atauro Island Camp for displaced East Timorese as most have returned to their homes on the mainland. During a visit of the Canadian Ambassador to East Timor last June, the government released a list of names of all prisoners held in the Becora and Comarca jails in Dili. Most recently, a six member Canadian parliamentary delegation visited East Timor last November, travelling outside Dili and meeting prisoners at the Becora jail.

IRIAN JAYA

The human rights situation in Irian Jaya appears to be improving somewhat. Despite minor flare-ups during the parliamentary elections, the security situation is good and refugees continue to return to the province from Papua New Guinea. There have been no recent reports of Organization for a Free Papua (OPM) attacks on government troops or facilities. The OPM forces are small and fragmented and appear to have only very limited support among the majority of Irianese. Land claims promise to be a long-term difficulty, although land disputes are being handled with greater sensitivity by the authorities than in the past. Transmigration is becoming less contentious as the programme has been drastically reduced. The government is now focussing its efforts on providing support to transmigrants already in Irian Jaya and to spontaneous migrants. It is unlikely that the programme will ever regain its former size, due to the evident futility of trying to address population pressure in this way and the persistent expressions of concern relating to human rights issues from foreign governments.

CANADIAN POSITION

Canada deplores continuing instances of detention without trial, of government influence of the judiciary and of executions for political purposes. Canada does not condone the manner in which East Timor was incorporated into Indonesia, but recognizes it de facto as the 27th Province. We will continue to monitor the situation on summary detention and on developments in East Timor and Irian Jaya. We will make representations on these matters, as appropriate, to encourage access by foreign organizations and individual observer groups, to try to moderate Indonesian policies and to ensure that the principal focus is placed on improving economic and social conditions.